

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 568, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 2, delete lines 36 through 38.
- 2 Page 2, line 39, after "include" insert "**:**
- 3 **(1) a birthing center; or**
- 4 **(2)".**
- 5 Page 2, after line 41, begin a new paragraph and insert the
- 6 following:
- 7 "SECTION 2. IC 16-18-2-36.5 IS ADDED TO THE INDIANA
- 8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 9 [EFFECTIVE JULY 1, 2005]: **Sec. 36.5. (a) "Birthing center", for**
- 10 **purposes of IC 16-21-2, means a freestanding entity that has the**
- 11 **sole purpose of delivering a normal or uncomplicated pregnancy.**
- 12 **(b) The term does not include a hospital that is licensed as a**
- 13 **hospital under IC 16-21-2.**
- 14 SECTION 3. IC 16-21-1-7 IS AMENDED TO READ AS
- 15 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. (a) Except as
- 16 provided in subsection (b), the council shall propose and the executive
- 17 board may adopt rules under IC 4-22-2 necessary to protect the health,
- 18 safety, rights, and welfare of patients, including the following:
- 19 (1) Rules pertaining to the operation and management of hospitals,
- 20 ~~and~~ ambulatory outpatient surgical centers, **and birthing centers.**
- 21 (2) Rules establishing standards for equipment, facilities, and

1 staffing required for efficient and quality care of patients.

2 (b) The state department may request the council to propose a new
3 rule or an amendment to an existing rule necessary to protect the health,
4 safety, rights, and welfare of patients. If the council does not propose
5 a rule within ninety (90) days of the department's request, the
6 department may propose its own rule.

7 (c) The state department shall consider the rules proposed by the
8 council and may adopt, modify, remand, or reject specific rules or parts
9 of rules proposed by the council.

10 SECTION 4. IC 16-21-2-1 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) Except as
12 provided in subsection (b), this chapter applies to all hospitals, ~~and~~
13 ambulatory outpatient surgical centers, **and birthing centers.**

14 (b) This chapter does not apply to a hospital operated by the federal
15 government.

16 (c) This chapter does not affect a statute pertaining to the placement
17 and adoption of children.

18 SECTION 5. IC 16-21-2-2 IS AMENDED TO READ AS
19 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. The state department
20 shall license and regulate:

21 (1) hospitals; ~~and~~

22 (2) ambulatory outpatient surgical centers; **and**

23 (3) **birthing centers.**

24 SECTION 6. IC 16-21-2-10 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. A:

26 (1) person;

27 (2) state, county, or local governmental unit; or

28 (3) division, a department, a board, or an agency of a state,
29 county, or local governmental unit;

30 must obtain a license from the state health commissioner under
31 IC 4-21.5-3-5 before establishing, conducting, operating, or
32 maintaining a hospital, ~~or~~ an ambulatory outpatient surgical center, **or**
33 **a birthing center.**

34 SECTION 7. IC 16-21-2-11 IS AMENDED TO READ AS
35 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 11. (a) An applicant
36 must submit an application for a license on a form prepared by the state
37 department showing that:

38 (1) the applicant is of reputable and responsible character;

39 (2) the applicant is able to comply with the minimum standards for
40 a hospital, ~~or~~ an ambulatory outpatient surgical center, **or a**
41 **birthing center**, and with rules adopted under this chapter; and

42 (3) the applicant has complied with section 15.4 of this chapter.

(b) The application must contain the following additional information:

- (1) The name of the applicant.
- (2) The type of institution to be operated.
- (3) The location of the institution.
- (4) The name of the person to be in charge of the institution.
- (5) If the applicant is a hospital, the range and types of services to be provided under the general hospital license, including any service that would otherwise require licensure by the state department under the authority of IC 16-19.
- (6) Other information the state department requires.

SECTION 8. IC 16-21-2-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 14. A license to operate a hospital, ~~or~~ an ambulatory outpatient surgical center, **or a birthing center:**

- (1) expires one (1) year after the date of issuance;
- (2) is not assignable or transferable;
- (3) is issued only for the premises named in the application;
- (4) must be posted in a conspicuous place in the facility; and
- (5) may be renewed each year upon the payment of a renewal fee at the rate adopted by the council under IC 4-22-2.

SECTION 9. IC 16-21-2-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 16. A hospital, ~~or~~ an ambulatory outpatient surgical center, **or a birthing center** that provides to a patient notice concerning a third party billing for a service provided to the patient shall ensure that the notice:

- (1) conspicuously states that the notice is not a bill;
- (2) does not include a tear-off portion; and
- (3) is not accompanied by a return mailing envelope.

SECTION 10. IC 16-31-6.5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. This chapter does not apply to the following:

- (1) A licensed physician.
- (2) A hospital, ~~or~~ an ambulatory outpatient surgical center, **or a birthing center.**
- (3) A person providing health care in a hospital, ~~or~~ an ambulatory outpatient surgical center, **or a birthing center** licensed under IC 16-21.
- (4) A person or entity certified under IC 16-31-3.

SECTION 11. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "state department" refers to the state department of health.**

1 (b) The state department shall, not later than June 30, 2005,
2 establish licensing procedures and requirements for the licensure
3 of birthing centers as required under IC 16-21-2-2, as amended by
4 this act.

5 (c) If a birthing center is in existence on June 30, 2005,
6 IC 16-21-2, as amended by this act, applies after November 30,
7 2005.

8 (d) If a birthing center does not exist on June 30, 2005,
9 IC 16-21-2, as amended by this act, applies beginning July 1, 2005.

10 (e) This SECTION expires December 31, 2006.

11 SECTION 12. An emergency is declared for this act."

(Reference is to SB 568 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 9, Nays 0.

Senator Miller, Chairperson